THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 6459 of 2007

Dated: 30.03.2007

Between:

Y. Babu Rao.

..... PETITIONER

AND

APSRTC, rep. by Vice Chairman and Managing Director,
Musheerabad, Hyderabad and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 6459 of 2007

Order:

The present writ petition is filed questioning the action of the respondents in not granting special grade/stagnation increments to the petitioner on completion of 12 years of total service from the date of his initial appointment by counting the continuity of service granted by the Labour Court in I.D. No.259 of 1992, dated 29.12.1994.

The petitioner states that while he was working as Conductor in the respondents-APSRTC, he was removed from service, by order dated 21.01.1991, on the allegation of certain cash and ticket irregularities. Questioning the said removal order, he raised an industrial dispute in I.D. No. 259 of 1992, and the Labour Court, vide award dated 29.12.1994, set aside the order of removal and directed the respondents-APSRTC to reinstate the petitioner into service with continuity of service without back wages, and pursuant thereto the petitioner was reinstated into service. The grievance of the petitioner is that since the Labour Court awarded continuity of service, he is entitled for stagnation/special grade increment immediately after completion of 12 years of service from the date of his initial appointment, i.e., from the year 2000, but the respondents, instead of granting stagnation increment from the year 2000 by counting the continuity of service as awarded by the labour Court, have granted the same only from the year 2004. Therefore, he filed a representation, dated 16.02.2006, requesting the respondents-APSRTC to consider his claim for grant of

stagnation/special grade increment by counting the continuity of service as awarded by the Labour Court and as per the decision of this Court reported in **M.D. Rahamatullah v. Depot manager, APSRTC**[1], but so far no action has been taken by the respondents-APSRTC. Hence, he filed the present writ petition.

Heard the learned counsel for the petitioner and the Learned Standing Counsel for the respondents-APSRTC. Both the counsel agreed for disposal of the writ petition with a direction to the respondents-APSRTC to consider the representation of the petitioner, dated 16.02.2006.

Since the representation, dated 16.02.2006, of the petitioner for grant of stagnation increments from the year 2000 is said to be pending consideration before the respondents-APSRTC, and in view of the agreed stand taken by both the counsel, I deem it appropriate to dispose of the writ petition with the following directions:

The respondents-APSRTC are directed to consider the representation of the petitioner, dated 16.02.2006, for grant of stagnation increments from the year 2000, in the light of the judgment of this Court reported in **M.D. Rahamatullah v. Depot manager, APSRTC** (1 supra), and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 30.03.2007
Nsr

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[1] 1999 LAB. I.C. 2946